

**REMARKS**

Applicants appreciate the Examiner's review of the present claims and respectfully request reconsideration based on the following remarks. Claims 1-12 are pending in the present application.

**Rejections under 35 U.S.C. 102(b)**

The Examiner has rejected claims 1-7 and 9-10 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,671,225 to Hooper et al. (Hereinafter referred to as "Hooper"). Applicants traverse this rejection and assert that Hooper 5,671,225 discloses a distributed interactive multimedia service system, which has nothing to do with the claimed invention.

The Examiner states that Hooper discloses "creating at least one default message of a personalized message" at Col. 4 lines 8-28. Applicants respectfully point out that the claim language recites "creating at least one default message **example** of a personalized message", Claim 1 line 5 and Claim 9 lines 5-6 generally, and Claim 12 line 5 generally. Applicants note that Hooper at Col. 4 lines 8-28 does not disclose this recitation. Instead, Hooper is disclosing setting up communication paths between a client processor and a server processor. This has no relationship with what is recited in the claims.

The Examiner states that Hooper discloses "delineating general characteristics of members of said intended audience and creating a set of target entity qualification data factors for use in database searches to acquire a list of entities to which a personalized message will be distributed" at Col. 5 lines 24-40. Applicants respectfully disagree. Hooper at Col. 5 lines 24-40 is disclosing establishing a communications session between a client and server and providing the server with a client profile, which is technical information regarding a set top box, e.g. bandwidth, manufacturer, model, network protocol, etc. This has nothing to do with what is recited in the Claims.

The Examiner states that Hooper discloses "creating an entity profile template including a substantially complete definition of information about each of said entities that is to be acquired by said database search" at Col. 3 lines 48-55 and Col. 5 lines 41-45. Applicants disagree.

Hooper at Col. 3 lines 48-55 is disclosing a service management unit which keeps track of function metrics of the distributed multimedia system. Hooper at Col. 5 lines 41-45 discloses authenticating a user against a subscriber database in real time. Neither section, or any other part of Hooper, has any relationship with what is recited in the Claims.

The Examiner states that Hooper discloses "using said entity profile template for generation of target entities profiles and status" at Col. 3 lines 48-55 and Col. 5 lines 24-45. Applicants disagree. Hooper at Col. 3 lines 48-55 and Col. 5 lines 24-45 have both been previously discussed above, and bear no relationship to using the entity profile template for generation of target entities profiles and status.

Applicants further assert that Hooper does not disclose the features of "constructing a message template" or "constructing a message resource library".

Accordingly, Hooper does not disclose any of the features of the present invention as claimed in independent Claims 1, 9, or 12. Applicants assert that these claims, and all claims dependent upon them, are allowable.

Regarding dependent Claims 2-8 and 10. Applicants assert that Hooper has no relation to the present invention, and therefore these claims are allowable over Hooper even separate from depending upon an allowable claim. For example, Claim 2 recites "wherein said constructed message template includes a plurality of media segment slots". Hooper at Col. 4 lines 52-59, Col. 8 lines 43, and 61-63 is disclosing providing actual multimedia streams with concerns over bit rates and encoding. This is completely different from the recited features of the present invention.

**Rejections under 35 U.S.C. 103(a)**

The Examiner rejected claims 8, 11 and 12 under 35 U.S.C. 103(a) as being unpatentable over Hooper et al. in view of U.S. Patent No. 5,991,735 to Gerace. Applicants respectfully traverse this rejection. As previously detailed, all independent claims (including Claim 12) are allowable over Hooper. Accordingly, all claims are allowable.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such action is hereby solicited. If any points remain in issue which the

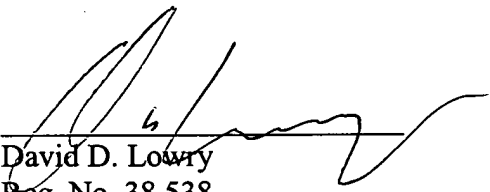
Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to contact the undersigned at the telephone number listed below.

In the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 50-0369 for the required fee

Respectfully submitted,

Dated:

11/8/02

  
David D. Lowry  
Reg. No. 38,538  
Customer No. 21710  
Attorney for Applicants

**BROWN RUDNICK BERLACK ISRAELS LLP**  
Box IP, 18th Floor  
One Financial Center  
Boston, MA 02111  
Tel: 1-617-856-8399  
Fax: 1-617 856-8201